

BUTWAL, S,

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MICHAEL CONNELLY M.D.,

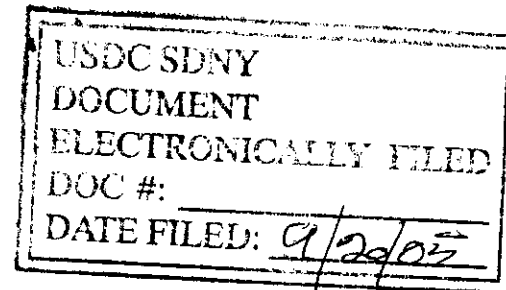
Plaintiff,

v.

JACK GRAY, ECCE CULINA, LLC, and
CHESTNUT GROUP, LLC.,

Defendants.

No. 05-CV-6529



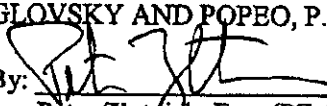
STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

WHEREAS, no party is an infant, an incompetent person for whom a committee has been appointed or conservatee, and no person not a party has an interest in the subject matter of the action, pursuant to Fed. R. Civ. P. 41(a)(1)(ii), the parties, by their authorized undersigned representatives, hereby stipulate and agree that the above-captioned action, be and hereby is dismissed with prejudice, with each party bearing its own costs and attorneys fees, and waiving all rights of appeal.

MICHAEL CONNELLY M.D.,

Plaintiff,
By his attorneys,

MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO, P.C.

By: 
Peter Zlotnick, Esq. (PZ-5386)

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-and-

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Date: 9/12/2005

JACK GRAY, ECCE CULINA, LLC, and
CHESTNUT GROUP, LLC.,

Defendants,
By their attorneys,

FRANKFURT KURNIT KLEIN & SELZ, P.C.

By: 
Brian E. Maas, Esq.

488 Madison Avenue
New York, NY 10022
Tel: (212) 980-0120
Fax: (212) 593-9175

Date: 9/12/05

SO ORDERED:


Hon. Naomi R. Buchwald, U.S.D.J.

9/19/05 